

**PROOF**

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**STATE OF IOWA**

**House Journal**

**TUESDAY, MARCH 11, 2003**

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Printed daily by the State of Iowa during the sessions of the General Assembly.  
An official corrected copy is available for reference in the office of the Chief Clerk.  
(The official bound copy will be available after a reasonable time upon adjournment.)

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## JOURNAL OF THE HOUSE

Fifty-eighth Calendar Day - Forty-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, March 11, 2003

The House met pursuant to adjournment at 8:45 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend Jim W. Morris, pastor of the United Methodist Church, Emmetsburg. He was the guest of Representative Marcie Frevert of Palo Alto County.

The Journal of Monday, March 10, 2003 was approved.

### INTRODUCTION OF BILLS

[House File 497](#), by committee on transportation, a bill for an act relating to fees charged for special fire fighter motor vehicle registration plates and making an appropriation.

Read first time and referred to committee on **appropriations**.

[House File 498](#), by Greimann, Stevens, Heddens, T. Taylor, Miller, Mertz, Bukta, Mascher, Whitaker, Winckler, Lensing, and Shultz, a bill for an act relating to credible data concerning water quality.

Read first time and referred to committee on **environmental protection**.

[House File 499](#), by Dolecheck and Myers, a bill for an act providing an additional property tax levy for community colleges, and providing an effective date.

Read first time and referred to committee on **education**.

[House File 500](#), by Hogg, a bill for an act relating to the payment of host fees by applicants for sanitary landfill construction permits.

Read first time and referred to committee on **environmental protection**.

[House File 501](#), by Cohoon, a bill for an act relating to courthouse security, and providing for a fee.

Read first time and referred to committee on **judiciary**.

[House File 502](#), by committee on local government, a bill for an act relating to damage disclosure statements required for transfer of ownership of motor vehicles.

Read first time and placed on the **calendar**.

[House File 503](#), by committee on human resources, a bill for an act relating to the authorization of podiatrists to administer anesthesia.

Read first time and placed on the **calendar**.

[House File 504](#), by committee on judiciary, a bill for an act relating to fraudulent use of a credit card, scanning device, or reencoder, and providing a penalty.

Read first time and placed on the **calendar**.

[House File 505](#), by committee on judiciary, a bill for an act to prohibit unauthorized computer access to operational or support data of a rural water district and a municipal utility and providing a penalty.

Read first time and placed on the **calendar**.

#### EXPLANATION OF VOTE

I was necessarily absent from the House chamber on March 4 through March 6, 2003. Had I been present, I would have voted "aye" on House Files 234, 249, 250, 265, 289, 290, 304, 311, 319, 329, 341, 342, 387 and [Senate File 127](#).

HUSEMAN of Cherokee

**COMMUNICATION FROM THE STATE APPEAL BOARD**

The following communication was received from the State Appeal Board on March 10, 2003, and is on file in the office of the Chief Clerk:

March 7, 2003

Chief Clerk  
House of Representatives  
Statehouse  
L O C A L

Dear Chief Clerk:

There are transmitted herewith claims against the State of Iowa to be filed with the Claims Committee of the House of Representatives.

These include 7 claims of general nature that were denied by the State Appeal Board during February and March 2003.

The attached index shows claim number, name and address of claimant and the amount requested in the claim.

Sincerely,  
Cynthia P. Eisenhauer  
Chairperson  
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

MARGARET A. THOMSON  
Chief Clerk of the House

DENIED GENERAL CLAIMS BY THE STATE APPEAL BOARD  
SUBMITTED TO THE 80<sup>TH</sup> GENERAL ASSEMBLY  
February through March 2003

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G010736	Lynn M. Bernal	Des Moines, IA	Ambulance	\$371.00
G020386	Fox Lawson & Associates	Roseville, MN	Consulting Services	\$1,681.00
G020489	Dorothy Swarzentruher	Cedar Rapids, IA	License Refund	\$283.00
G020491	Vander Linden Trucking, Inc. (Harold Vander Linden)	Keystone, IA	IRP Refund	Unspecified

G021031	Kaylee Chilton	Grimes, IA	Refund Penalty	\$17.00
G030216	City of Carter Lake	Carter Lake, IA	Motor Fuel Tax Refund	\$3,509.47
G030378	The Segal Company (Western State), Inc.	Englewood, CO	Contract	\$2,158.75

### CERTIFICATES OF RECOGNITION

**MR. SPEAKER:** The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

**MARGARET A. THOMSON**  
Chief Clerk of the House

- 2003\689 Margaret Woodruff, Cedar Falls – For celebrating her 100<sup>th</sup> birthday.
- 2003\690 Fred Hoffman, Cedar Falls – For celebrating his 93<sup>rd</sup> birthday.
- 2003\691 Homer Fritz, Glenwood – For celebrating his 90<sup>th</sup> birthday.
- 2003\692 Faye De Lashmutt, Pacific Junction – For celebrating her 90<sup>th</sup> birthday.
- 2003\693 Maxine Techau, Glenwood – For celebrating her 80<sup>th</sup> birthday.
- 2003\694 Harold and Joyce Hansen, Panora – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2003\695 Florence Hughes, Bayard – For celebrating her 90<sup>th</sup> birthday.
- 2003\696 Harold and Sis Adamson, Greenfield – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2003\697 Art and Alma Heuss, Audubon – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2003\698 Matt Fields, Tipton – For receiving 1<sup>st</sup> place in the 275 lb. weight class in the Class 2-A Division of the 2003 State Wrestling Tournament.
- 2003\699 Kay Bryan, Montezuma – For celebrating her 80<sup>th</sup> birthday.
- 2003\700 Robert Hugen, Oskaloosa – For celebrating his 80<sup>th</sup> birthday.
- 2003\701 Mr. and Mrs. John Moffet, Oskaloosa – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2003\702 Charles Kentfield, Oskaloosa – For celebrating his 80<sup>th</sup> birthday.

- 2003\703 Virginia Barker, Boone – For celebrating her 90<sup>th</sup> birthday.
- 2003\704 Mr. and Mrs. DeWayne J. Behrens, Bettendorf – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2003\705 Alberta Littrel, Bettendorf – For celebrating her 80<sup>th</sup> birthday.
- 2003\706 Lester Littrel, Bettendorf – For celebrating his 80<sup>th</sup> birthday.
- 2003\707 Jill Seeba, Bettendorf – For being the 2003 Presidential Scholar.
- 2003\708 Seth Johnson, Bettendorf – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2003\709 Glen and Marian Schweitzer, Winthrop – For celebrating their 69<sup>th</sup> wedding anniversary.
- 2003\710 Mable Gosse, Independence – For celebrating her 90<sup>th</sup> birthday.
- 2003\711 Dorothy (Frost) Amfahr, Jesup – For celebrating her 90<sup>th</sup> birthday.
- 2003\712 Ross and Deleva Platt, Independence – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2003\713 Maxine Schares, Jesup – For celebrating her 80<sup>th</sup> birthday.
- 2003\714 Hazel Jensen, Jesup – For celebrating her 80<sup>th</sup> birthday.
- 2003\715 Durwood and Lavonne Baker, Mason City – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2003\716 Ruth Hillis, Mason City – For celebrating her 94<sup>th</sup> birthday.
- 2003\717 Gladys Ringus, Mason City – For celebrating her 80<sup>th</sup> birthday.
- 2003\718 Virginia Halfpap, Mason City – For celebrating her 80<sup>th</sup> birthday.
- 2003\719 Dianna Krejsa, Indianola – For receiving 2<sup>nd</sup> place in the 6-7<sup>th</sup> grade category in the "Write Women Back Into History" Essay Contest.
- 2003\720 Veryl and Shirley Carr, Clear Lake – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2003\721 Wayne Skyrme, Clear Lake – For celebrating his 80<sup>th</sup> birthday.
- 2003\722 Oscar and Ona Lamphier, Arlington – For celebrating their 64<sup>th</sup> wedding anniversary.
- 2003\723 Caitlin Oponski, Indianola – For receiving 1<sup>st</sup> place in the 8-9<sup>th</sup> grade category in the "Write Women Back Into History" Essay Contest.

2003\724 Amy Williams, Indianola – For receiving 2<sup>nd</sup> place in the 8-9<sup>th</sup> grade category in the "Write Women Back Into History" Essay Contest.

SUBCOMMITTEE ASSIGNMENTS

[House File 422](#)

Human Resources: Smith, Chair; Boddicker and Upmeyer.

[House File 469](#)

State Government: Raecker, Chair; Elgin and Oldson.

[House File 471](#)

Agriculture: Greiner, Chair; Dolecheck and Kuhn.

[House File 475](#)

Judiciary: Paulsen, Chair; Boal and Lensing.

[House File 477](#)

State Government: J. Drake, Chair; Fallon and Hutter.

[House File 486](#)

Natural Resources: Arnold, Chair; Rayhons and D. Taylor.

[House File 496](#)

State Government: Greiner, Chair; Jochum and Watts.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 240](#)

Administration and Rules: Boal, Chair; Bukta, Jacobs, Quirk and Roberts.

[House Study Bill 267 Reassigned](#)

Agriculture: J. Drake, Chair; Kuhn and Rayhons.

[House Study Bill 268](#)

Human Resources: Carroll, Chair; Foege and Roberts.

[House Study Bill 269](#)

Human Resources: Boddicker, Chair; Heddens and Upmeyer.

[House Study Bill 270](#)

Ways and Means: Boal, Chair; Davitt and Lukan.

[House Study Bill 271](#)

Ways and Means: J. Drake, Chair; Hahn and D. Taylor.

[House Study Bill 272](#)

Ways and Means: B. Hansen, Chair; Jochum and Sands.

[House Study Bill 273](#)

Public Safety: Baudler, Chair; Eichhorn and Heddens.

[House Study Bill 274](#)

Education: Roberts, Chair; Tymeson and Wendt.

[House Study Bill 275](#)

Education: Tymeson, Chair; Boal and Wise.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

**H.S.B. 276 Commerce, Regulation and Labor**

Relating to property insurance, including establishment of a mandatory plan to assure fair access to insurance requirements, and providing for an effective date and retroactive applicability.

**H.S.B. 277 Natural Resources**

Relating to financial assurance for sanitary landfills.

**H.S.B. 278 Judiciary**

Relating to the act or property of a public utility with respect to the definition of nuisance.

**H.S.B. 279 Judiciary**

Relating to certain agricultural liens.

**H.S.B. 280 Commerce, Regulation and Labor**

Relating to mental health and substance abuse treatment coverage, and providing for applicability.

**H.S.B. 281 Commerce, Regulation and Labor**

Modifying workers' compensation disability coverage in certain instances.

**H.S.B. 282 Commerce, Regulation and Labor**

Relating to the Iowa credit union Act, making relating changes, and providing for fees and penalties.

**H.S.B. 283 State Government**

Providing for technical and substantive changes relating to the practice of cosmetology and making penalties applicable.

**H.S.B. 284 Judiciary**

Relating to substance abuse prevention and treatment, providing for an increase in the cigarette tax, making appropriations, and providing an effective date.

**H.S.B. 285 Agriculture**

Relating to the conversion of cooperative associations originally organized as business corporations.

**H.S.B. 286 Economic Growth**

Relating to the investment tax credit under the new jobs and income program.

**H.S.B. 287 Local Government**

Establishing a commission on state and local taxation.

## COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARGARET A. THOMSON  
Chief Clerk of the House

## COMMITTEE ON AGRICULTURE

**Committee Bill** (Formerly [House Study Bill 236](#)), providing for evidence of financial responsibility filed by commercial pesticide applicators.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 2003.

## COMMITTEE ON APPROPRIATIONS

[House File 453](#), a bill for an act relating to animal biotechnology by creating an animal biotechnology commercialization fund, extending the time period during which a life science enterprise may purchase agricultural land, making appropriations, and providing an effective date.

Fiscal Note is required.

Recommended **Amend and Do Pass** with amendment [H-1042](#) March 10, 2003.

## COMMITTEE ON COMMERCE, REGULATION AND LABOR

**Committee Bill** (Formerly [House File 97](#)), relating to mandated insurance coverage for physician-recommended mammography for women with a family history of breast cancer.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 2003.

**Committee Bill** (Formerly [House File 230](#)), relating to the requirements for newspapers designated for official publication purposes.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 2003.

## COMMITTEE ON EDUCATION

**Committee Bill** (Formerly [House Study Bill 223](#)), relating to the duties and operations of the department of education and school boards.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 2003.

COMMITTEE ON ENVIRONMENTAL PROTECTION

**Committee Bill** (Formerly [House Study Bill 112](#)), relating to the review of subdivision plats by a local board of health or a county sanitarian.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 2003.

**Committee Bill** (Formerly [House Study Bill 225](#)), creating an environmental oversight committee and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 2003.

**Committee Bill** (Formerly [House Study Bill 244](#)), relating to composition and responsibilities of the Iowa comprehensive petroleum underground storage tank fund board.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 2003.

COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly [House File 221](#)), directing the mental health and developmental disabilities commission to make recommendations for redesigning the mental health and developmental disabilities services system for adults and children and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 2003.

**Committee Bill** (Formerly [House File 263](#)), relating to the fee and use of fee for a certificate of birth.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 2003.

**Committee Bill** (Formerly [House File 345](#)), authorizing the department of human services to disclose information regarding the presence of a perpetrator of certain sexual offenses or sexual abuse in the client's home.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 2003.

**Committee Bill** (Formerly [House File 359](#)), relating to immunity from liability of certain health care facilities participating in the volunteer health care provider program.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 2003.

**Committee Bill** (Formerly [House File 383](#)), relating to contractors under a medical assistance program waiver.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 2003.

**Committee Bill** (Formerly [House File 403](#)), authorizing the department of human services to contract for managed care of adult mental health or substance abuse services under the medical assistance program under certain circumstances and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 2003.

#### COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly [House File 120](#)), relating to the exclusion of certain nonprofit transitional housing from forcible entry and detainer actions and remedies.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 2003.

**Committee Bill** (Formerly [House File 232](#)), creating the crime of invasion of privacy, and providing a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 2003.

**Committee Bill** (Formerly [House Study Bill 161](#)), concerning procedures, duties, and fees related to the judicial branch.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 11, 2003.

**Committee Bill** (Formerly [House Study Bill 210](#)), relating to the Iowa probate code, including provisions relating to state inheritance, gift taxes, and trusts and including an applicability date provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 2003.

COMMITTEE ON LOCAL GOVERNMENT

**Committee Bill** (Formerly [House Study Bill 201](#)), relating to election or appointment of trustees of a city hospital or health care facility.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 2003.

**Committee Bill** (Formerly [House Study Bill 203](#)), relating to proof of motor vehicle financial responsibility, and providing effective and applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 2003.

**Committee Bill** (Formerly [House Study Bill 251](#)), relating to the procedure for reducing the number of members of a city council from five to three in certain cities.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 2003.

COMMITTEE ON NATURAL RESOURCES

[House Joint Resolution 5](#), a joint resolution to nullify administrative rules of the department of natural resources concerning methods of taking wild turkey and deer and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 10, 2003.

**Committee Bill** (Formerly [House File 95](#)), allowing deer hunters to use first regular gun deer hunting season licenses with unused tags during a second regular gun deer hunting season.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 2003.

**Committee Bill** (Formerly [House Study Bill 67](#)), relating to fishing by establishing fees, allocating fishing license revenue to fish habitat development, modifying trout fishing fee requirements, and providing effective and applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 2003.

**Committee Bill** (Formerly [House Study Bill 185](#)), requiring annual registration of snowmobiles and establishing a fee.

Fiscal Note is not required.

Recommended **Do Pass** March 10, 2003.

COMMITTEE ON TRANSPORTATION

**Committee Bill** (Formerly [House Study Bill 100](#)), increasing the speed limit for vehicular traffic on interstate highways.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 2003.

RESOLUTIONS FILED

[HCR 17](#), by Jacobs and Mascher, a concurrent resolution designating March 2003 as Iowa Women's History Month.

Laid over under **Rule 25**.

[HR 28](#), by Ford, a resolution supporting the development of a standard medical school curriculum that ensures physicians receive training relating to racial and cultural bias.

Laid over under **Rule 25**.

AMENDMENTS FILED

<a href="#">H-1042</a>	<a href="#">H.F. 453</a>	Committee on Appropriations
<a href="#">H-1043</a>	<a href="#">H.F. 454</a>	Boddicker of Cedar Foege of Linn
<a href="#">H-1044</a>	<a href="#">H.F. 404</a>	Eichhorn of Hamilton Hogg of Linn
<a href="#">H-1045</a>	<a href="#">H.F. 391</a>	Wise of Lee Jenkins of Black Hawk
<a href="#">H-1046</a>	<a href="#">H.F. 453</a>	Thomas of Clayton Hoffman of Crawford

On motion by Gipp of Winneshiek the House adjourned at 8:50 a.m., until 8:45 a.m., Wednesday, March 12, 2003.